G. R. S. IX-5]

Previous references.

L.R 13 of 1896.
Sls 1-10.

1896
191 .
(L.R.)

File No. 13

Serial Nos. 11—14.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 11 to 14.

46. Part B for August 1901.

SUBJECT.

Recovery of the loan advanced to Jamal Saib for the irrigation well.

Indexed

Countermarked

W D 88—GPB—50,000—24-7-16

Office Note Continued

With reference to the above order issued vide Govt. Reso. 3477-8 of 6 R 1137 the 27th October 1900, By Govt. of Ceylon requesting the records and recommending the remission as a special case of the balance of account due Rs 230/- due & the interest due from the applicant on the following grounds.

1. Out of the advance of Rs 400/- made to Appuhamy Kaik he states that he spent on the work more than Rs 300/- for excavation and stone work and that he utilized the balance for making advances to workmen and for purchasing

implements required for the execution of the work, the excavation of the well was finished and the stone required for the sides of the well was almost completed, but unfortunately for him the well collapsed owing to the sides not being firm.

2. As the applicant was responsible for substantial work being done & was bound to repair the damage done to the well and as he failed to do so, he is bound to repay the amount advanced to him by Govt. But when the system of granting advances was first introduced in 1891-2, both the

negotiations and Govt. officers had not much ~~experience~~ experience to anticipate the difficulties that may arise in carrying out the benevolent intentions of Govt. The officers of the time might be given the applt. not only money for having the work done, but also professional advice as the work proceeded. Owing to ignorance on his part and want of advice on the part of Govt. officers, the Construction of side revetment was faulty & collapsed. The applicant was not solely to be blamed for this collapse.

3. The policy of Govt. is to deal ~~indulgently~~ indulgently with applicants who have honestly

endeavoured to do
the work undertaken
by them. According
to measurement-list,
~~it appears that~~
the quantity of work
done up to Feb 5/98
was ~~according to~~
~~rates adopted in the~~
~~bill~~ of the Value of
Rs 2627. He is probable
he paid even more
for work done & lost
some money advanced
by him which was
accounted for in the measurement-
list.

4. The applicant is
a pensioner of Govt.
and gets Rs 30/- a month.
He has a large family
depending on him,
as is usual in such
cases & he finds it
hard to make both
ends

Sentence passed
with the full amount
of pension & with the
normal prices &
when in these days
of high prices that
is reduced by three-
fourths by £10 being
deducted & forfeiture
of the gratuity
the hardship to which
he & others may be
put will be imagined.

Submitted to Secretary
for orders.

H
27/4/01

The Dy Comr strongly recommends remission — on the ground of Petr's respectability & on the ground of honest attempt to (which however does not appear to have been timely or contumacious) having been made. This is a bad time to set examples of

undue generosity; but
if Govt is not pleased
to forgo the amount which
cannot be done on any
intelligible principle — a
sum of 5 Rs may be dedu-
ted out of his pension,
interest may be excused.
This will liquidate the
debt in about 4 years,
and would certainly be
generous to the debtor.
Submitted (to the 1st Councillor) for orders.
& thro

5/5/1907

R- 10/5/07
Madras
439

This advance for irrigation
wells has given me no
end of trouble. I had a lot
of proposals of this kind & intend
ed to study the question on
the spot & devise a better
system of dealing with these
loans. Meanwhile there was
a change in the portfolios —
I reserve the general question
until I have ~~[illegible]~~ & seen the working of the
system in the Madras Delta.
The Diwan has dealt with
this particular case. I
would suggest its being

Placed before him for orders.

8/5/1907

Submitted to the Dewan for orders. The Case & what Mater required & orders are stated shortly in my note above — the remission recommended being of the arrears of a well loan.

22/5/1907

701
Rev.
23.5.01

V-22/5/01

823 9 years this man while in the Chubdar Distt. He is charged a week and it is surely cruel to take any harsh measures to collect arrears from him the fault is entirely of the Ahlkars who on receipt of money do not deposit it into Govt. treasury & it is unfair to Govt. to demand fine etc. of the persons

for a period of 4 years is as unheard of as it will be harassing to the man. No principle is needed to deal with the present case. The money must be remitted & the local officers warned & reprimanded and enjoined not to repeat the offence. I would simply say: Under all the circumstances of the case the Govt. sanction the grant of the advance & remit it - but the responsibility for this loss will attach to the local officers who made the advance and they are warned to be careful when dealing with similar cases in future

4.VI.01

Issue the Instructions in the 1st case forwarded

4/6/1901

Issued 7/6/01 Subd with draft 8/6/01

GOVERNMENT OF MYSORE

Orders issued as above

Submitted to Hon'ble Minister for information.

13/6/01

13/6/01

13/6/01

20/6/01

10

Gl. No. 7111
APR 22 1901 1900 & 1901.
124341

FROM The Deputy Commissioner
Chitaldroog District

To The Secretary to the
Government of Mysore
General & Revenue Departts:

Dated 16th
Despatched 19th } April 1901.
Received

Section L.R.
File No 13/96
Serial No 4

General No. 875-
No.

Enclosure No. One file of
Vce: Papers.

Recommending that the
balance still outstanding
against Jaupal Naik,
Loancholder may be remitted
as a Special case; the whole
of the interest due will also
have to be remitted-

Noted
RR
22.4.01
R 747 of 1899-00 is
put up
Sd/- 24-4-01
Sd/- Secretary
Revenue Office
26/4/01

Deputy Commissioner's Office
Chitaldrug District
Dated Camp Harihar
16th April 1901.

From The Deputy Commissioner
Chitaldrug District

To The Secretary to the Government
of Mysore, General and Revenue
Department.

Sir,

With reference to Government Proceedings No. 3477-78 dated 27th October 1900, passing orders regarding the recovery of the advance of Rs 400/- made to Jampal Naik of Chellakere for sinking an irrigation well in his land Survey No. 5 of Chellakere village, I have the honor to request permission to submit once more this hard case for favorable consideration

consideration of Govern-
ment.

2. Out of the advance of
Rs 400/- made to Jaipal
Naik, he states that he
spent on the well more than
300 Rs for excavation and
stone work and that he
utilized the balance for
making advances to
workmen and for purchasing
implements required for
the execution of the work.
The excavation of the well
to the required dimensions
was furnished and the
stone revetment to the sides
of the well was almost
completed. But unfortunately
to him, the well collapsed
owing

owing to the sides not being
firm.

3. Strictly speaking the Khatadar
is responsible for substantial
work being done, and he
was bound to repair the
damage done to the well.
Having failed to do so,
he is also bound to repay
the amount advanced to him
by Government. There are
however circumstances in the
case, which, in spite of the
repeated orders of a peremptory
nature passed by Government,
induce me to resubmit it
for favorable consideration.
4. When the system of granting
advances was first introduced
in

in 1891-92, both the ryots on the one hand and Government Officers on the other, had not much experience of difficulties that rise in carrying out the benevolent intentions of Government. It was necessary for the Officers of the time to have given the Khatedar, not only money for having the work done but professional advice as the work proceeded. Owing to ignorance on his part and want of advice on the part of Government Officers, the construction of side revetment was faulty and it collapsed. The Khatedar, I beg to submit, was not solely to be blamed for

for this collapse.

5 The Policy of Government is to deal indulgently with Khatedars who have honestly endeavoured to do the work undertaken by them. According to measurement list filed with the vernacular records, it appears that the quantity of work done up to February 1895 was, according to rates adopted in the Public Works Department, of the value of Rs 262/. It is probable he paid even more for work done and lost some money advanced by him of which no account was taken in the measurement list. He appears to have honestly endeavoured to

to fulfil his part of the agreement.

6. The Khatedar is a pensioner of Government and gets Rs 30/- a month. He has a large family depending on him, as is usual in such cases and he finds it hard to make both ends meet even with the full amount of pension & with normal prices and when in these days of high prices, that is reduced by three-fourths by 10 Rs being deducted every month from his stipend, the hardship which he suffers may very well be imagined.

7. For these reasons, I beg to recommend that the balance still outstanding against the loanholder which amounts to Rs 230, he having paid Rs 170

Rs 170 till now, may be remitted as a special case. The whole of the interest due ~~will~~ will also have to be remitted.

8. The vernacular papers on the subject are herewith resubmitted.

I have the honor to be,
Sir,
Your most obedient Servant
Deputy Commissioner
Chitaldrug District

GOVERNMENT OF MYSORE

Read:—

Letter No 875—

dated 16th April 1901.

from the Deputy Comr.,

Chitaldroog District,

~~stating, with reference~~

~~to Govt pro. No. 3477-7~~
R. 1137

~~dated 27th October 1900,~~

~~passing orders regarding~~
relative to remitting that the

~~the recovery of the~~
balance, viz, Rs 230, of the

advance of Rs: 400 made
in 1891

to Jampal Naik, for

sinking an irrigation

well in his land in

Challakere village, that

a sum of Rs: 170 has

till now been paid by

the loanholder towards

the liquidation of the

loan granted to him

and recommending

that, in consideration

of his poverty and the

loss he has sustained

Copd
4 pm
11/6/01

in his honest attempts to construct the well for which the loan was granted, the balance still outstanding viz. Rs: 230, may ~~be remitted,~~ as a special case, ~~the interest due thereon.~~ be remitted together with interest due

Order thereon:—

No 9905-6
R.F. 47-99 } 11-6-01

Under all the circumstances of the case the Govt sanction ~~their~~ these arrears of the advance being struck off. But the responsibility for this loss to Government attaches to the local Officers who made the advance and they are warned to be careful when dealing with similar cases in future.

To.

The Dy: Comm: Chitaldrug
St. with V. P.
Comptr. Mysore Govt

For Sub
of Commn

11/6/01
Secretary

File pubcy
Rev
14/7/01
5/7/01
Advs work
a copy 1/8/01

13.7.01

1901.
~~189~~

Gl. No 8977
JUL 4-1901
R No 5442

From
The Deputy Commissioner
Chitaldrug District

To
The Secretary to the Govt
of Mysore General and
Dated 30th June Revenue depts
Despatched 10/7/01 Bangalore

Received

General No. 1100

No.

Enclosure No.

Section R. II
Date 13-7-01
Entered 13-7-01

With reference to
Government Proceed-
-ings No 9905-6 dated
R.T. 47-99
11th instant directing
that the balance of
Rs 230/ of the advance
due from Jampal Naik
of Challekere be written
off the accounts, has
the honor to state that
out of the advance of
Rs 400/ made to him,
a sum of Rs 200/ was
recovered upto end
of May last under
the arrangement
proposed

proposed in this office
letter no. 344/331 dated
17th November 1899
pending the final orders
of Government in the
matter of the remission
recommended. Thus
there remained a balance
only
of Rs 200/ due by him.
Orders have been issued
for the remission of
this balance.

V.L.Bhonsekar

for Deputy Commissioner

Read again.

Govt. Pao No. 9905-6 / 09547-09
of 11th June 1901 directing
that the balance of
Rs. 230/ of the advance
Rs. 2300/ to be
recovered from Jampalkaick
& Chellakere Palick
be written off the accounts.

Read also

Letter No. 1100 of
30th June 1901 from the
Personal Assistant stating that out-
of the advance of Rs. 400/-
made to Jampalkaick
for sinking an irrigation well
a sum of Rs. 200/- has been
recovered up to the
end of May last -
~~the advance referred to~~
~~proposed in the letter~~
~~No. 346 of 17.11.99~~
No. 331
~~that~~ orders have been
issued for the recovery
of the balance of Rs. 200/-
~~only yet due by them~~

Order

Order Secretariat.

No. R. 573-4
R. F. 47/1899 3/5/01
6

Secretary's action is approved.

M
3/5/01

For Secretary
H.M.
1/6/01

Secretary's Calculations Completed.